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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,943	10/10/2003	Shahram Farhangi	7784-000662	1400

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EXAMINER

CASAREGOLA, LOUIS J

ART UNIT	PAPER NUMBER
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3746

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/682,943

Applicant(s)

FARHANGI ET AL.

Examiner

Louis J. Casaregola

Art Unit

3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-22 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Restriction Requirement

Restriction to one of the following inventions is required under 35 USC 121:

- I. Claims 1-7 drawn to a turbine engine and combustor (combination) classified in Class 60, subclass 737,
- II. Claims 8-15 drawn to a fuel supply system (subcombination) classified in Class 431, subclass 170, and
- III. Claims 16-22, drawn to a turbine engine combustion method classified in Class 60, subclass 776.

The inventions of Groups I-III above are distinct for the following reasons:

The Group I and II inventions are mutually distinct because the turbine combination of Group I does not require all pertinent features of the fuel system subcombination of Group II. The Group I combination, for example, does not necessarily require a provision for feeding fuel by pressure through the porous injector plate as specified in the Group II subcombination. The fuel in the Group I turbine plant could be fed by other means, such as capillary action. Furthermore, the Group II fuel system is not necessarily limited to use in a turbine engine but could be used in alternative fuel consuming devices, such as a combustion furnace.

The Group I and II inventions are also each distinct from the Group III invention since the apparatus in Groups I and II could be operated according to a method materially different than that of Group III. The apparatus in Group I and/or II is not

necessarily limited to operation in an auto-ignition mode and without flame combustion as specified in the method of Group III. The apparatus could be operated in conjunction with conventional ignition and premix flame combustion techniques

Because these inventions are distinct for the reasons given above and require separate classification and/or divergent fields of search, restriction for examination purposes as indicated is proper.

Applicants are advised that even in the event that the restriction requirement is traversed, the response to this requirement to be complete must include an election of the invention to be examined.

In addition to the above restriction between combination, subcombination, and method, further election of individual species is required.


Species Election

This application encompasses two different species of the inventive subject matter as shown in Figures 4 and 5 respectively. Pursuant to 35 USC 121, applicants are required for a complete response to (1) elect a single disclosed species and (2) list all claims readable on the elected species including any claims subsequently added (MPEP 809.02(a)).

This case appears to include several generic claims such as, for example, claim 1.

Applicants are further advised that a mere argument alleging that a generic claim is allowable will not satisfy a species election requirement. For a complete response, applicants must elect a single species and list the claims readable on that species as set forth above. (Note that the complex nature of the combined three-way restriction and species election requirements make this case unsuitable for election by telephone, hence, applicants have not been offered the option of a telephone election in this instance.)

L. J. Casaregola
571-272-4826 (M-F; 7:30-4:00)
571-273-8300 FAX
July 25, 2005



LOUIS J. CASAREGOLA
PRIMARY EXAMINER

If repeated attempts to reach the examiner by telephone are unsuccessful, the art unit supervisor, Timothy Thorpe, can be reached at 571-272-4444.

Information regarding the status of this application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR, and status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).